

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID V. ROBERTS,

Defendant.

8:14CR253

INDICTMENT

18 U.S.C. § 1343

18 U.S.C. § 2

The Grand Jury Charges:

**COUNTS I - X**  
**(WIRE FRAUD)**

At all times material herein:

1. Defendant, DAVID V. ROBERTS, resided in Omaha, Nebraska.
2. From at least June, 2011, and continuing through at least February, 2012, in the District of Nebraska, defendant, and others known and unknown to the grand jury, did devise and intend to devise a scheme and artifice to defraud and for obtaining money by means of materially false and fraudulent pretenses, representations and promises, which scheme and artifice to defraud is more fully described as follows:

**THE SCHEME AND ARTIFICE TO DEFRAUD**

3. From at least June, 2011, and continuing through at least February, 2012, defendant, and others known and unknown to the grand jury, would cause to be transmitted email communications to victims, which emails sought the purchase of material, product or services advertised by the victims for sale to the public. Material, product, or services

advertised by victims included, but was not limited to, windows, furniture, vehicles, computer repair services, and tutoring,

4. Defendant, and others known and unknown to the grand jury, would negotiate and agree upon a purchase price for the advertised material, product, or services for sale.

5. Once a purchase price was agreed upon, defendant, and others known and unknown to the grand jury, would cause a fraudulent check to be created and mailed to victims for payment of the advertised material, product, or services for sale. In fact, and unbeknownst to the victim, checks received were not legitimate and were fraudulently created.

6. Defendant, and others known and unknown to the grand jury, would instruct victims to electronically wire a portion of the funds credited to their account by virtue of the fraudulent check to defendant within the District of Nebraska. Victims were provided with defendant's name and the location where the funds were to be electronically wired. Victims were told money needed to be wired to defendant for purposes of paying defendant to pick-up, ship, or assist with transportation of the material or product advertised and purportedly purchased. Other victims were told money needed to be wired to defendant who was a "nanny" of children who would receive tutoring services advertised and purportedly purchased.

7. Upon receipt of fraudulent checks, victims deposited the check into their bank accounts. Once the victims believed the funds had been credited to their account, victims would electronically wire a portion of the deposited funds to defendant within the District of Nebraska using the services of Western Union or MoneyGram.

8. Defendant, while within the District of Nebraska, would travel to Western Union or MoneyGram locations where he would accept the electronically wired payments. From at least June, 2011, and continuing through at least February, 2012, defendant, while

within the District of Nebraska, personally accepted fifty-five (55) electronically wired monetary payments from victims located outside the District of Nebraska in the amount of \$91,669.81. The fifty-five (55) monetary wire payments were sent to defendant as a result of materially false and fraudulent pretenses, representations and promises.

#### **USE OF INTERSTATE COMMUNICATION FACILITIES**

9. Interstate wire communication facilities were used in furtherance of the scheme. From at least June, 2011, and continuing through at least February, 2012, defendant routinely received and accepted within the District of Nebraska electronically wired monetary payments sent from outside the District of Nebraska and electronically routed through locations outside the District of Nebraska.

#### **LOSS CAUSED BY THE FRAUD**

10. As a result of the scheme to defraud, from at least June, 2011, and continuing through at least February, 2012, defendant, and others known and unknown to the grand jury, induced at least fifty-five (55) electronically wired monetary payments to defendant, totaling \$91,669.81, through materially false and fraudulent pretenses, representations and promises.

#### **THE COUNTS**

11. For the purpose of executing the above described scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, defendant, and others known and unknown to the grand jury, did knowingly cause to be transmitted by means of wire communications in interstate commerce, certain writings, signs and signals for the purpose of executing the scheme and artifice to defraud, in that, defendant, and others known and unknown to the grand jury, did cause the transmission of

electronically wired monetary payments as described below, on or about the dates identified, each of the below said wire communications constituting a separate count:

Count	Date	Wire Communication
I	September 9, 2011	Western Union electronically wired monetary payment from R.C., a name fully known to the Grand Jury, to David Roberts in the amount of \$1,900.21.
II	September 20, 2011	Western Union electronically wired monetary payment from G.H., a name fully known to the Grand Jury, to David Roberts in the amount of \$2,500.00.
III	October 11, 2011	Western Union electronically wired monetary payment from C.L., a name fully known to the Grand Jury, to David Roberts in the amount of \$300.00.
IV	October 12, 2011	Western Union electronically wired monetary payment from C.L., a name fully known to the Grand Jury, to David Roberts in the amount of \$400.00.
V	October 18, 2011	Western Union electronically wired monetary payment from C.L., a name fully known to the Grand Jury, to David Roberts in the amount of \$400.00.
VI	October 25, 2011	Western Union electronically wired monetary payment from T.T., a name fully known to the Grand Jury, to David Roberts in the amount of \$1,404.21.
VII	October 27, 2011	Western Union electronically wired monetary payment from T.T., a name fully known to the Grand Jury, to David Roberts in the amount of \$1,839.21.
VIII	November 4, 2011	Western Union electronically wired monetary payment from J.C., a name fully known to the Grand Jury, to David Roberts in the amount of \$2,090.00.
IX	November 15, 2011	Western Union electronically wired monetary payment from D.D., a name fully known to the Grand Jury, to David Roberts in the amount of \$2,200.00.
X	November 17, 2011	Western Union electronically wired monetary payment from S.W., a name fully known to the Grand Jury, to David Roberts in the amount of \$1,775.00.

In violation of Title 18, United States Code, Sections 1343 and 2.

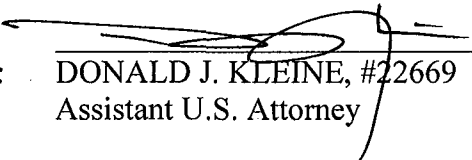
A TRUE BILL.

  
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 FORKLE PERSON



DEBORAH R. GILG  
United States Attorney  
District of Nebraska

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.



By: DONALD J. KLEINE, #22669  
Assistant U.S. Attorney